



Epilogue: A halo of hope floats in the air of America for the indigenous and black peoples, now that the most powerful nation in the earth has elected a President of African descent whose personal background represents the intercultural. This arouses enthusiasm. And brings them memories, now that there are bells calling for the celebration of the bicentennial of Independence of Bolivarian Republics, the liberation ideas of their founders, when they decided to "have recourse, as last resort, to rebellion against tyranny and oppression" And they want again to clear the way to give birth to alternatives different from institutional ones, completely opposite to centralist and authoritarian conceptions of power. Alternatives that definitely close the doors to oppression, humiliation and offence they have suffered from. Alternatives that recognise the extraordinary richness of the multiple expressions of indigenous and black cultures and of spiritual and ideological propositions that have been created in our country based on a "fertile mixture of races" that Colombian people have lived. In sum, alternatives that can be effective barriers against intolerance. (November 2008).



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## THE HUMANITARIAN TRAGEDY OF THE COLOMBIAN PACIFIC REGION

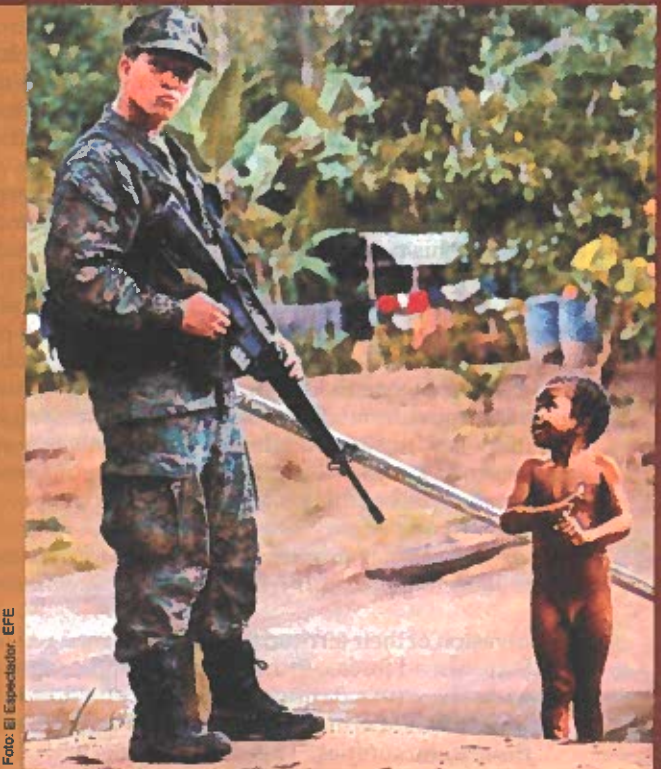


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Abuses of fundamental rights against the black, indigenous and peasant populations in the Colombian Pacific Region (considered by all the armed forces and groups -both official and irregular- as "collateral damages" in any armed conflict), have different and independent objectives from those of the internal armed conflict. Territorial eviction is an additional goal, not a consequence of the confrontation. This is deduced by the unnatural alliance between armed operations, dispossession of community-owned lands and the fake legalization of such dispossession. Disintegration of their territories puts the survival of these peoples at risk. The Colombian State, after important affirmative actions in favour of indigenous peoples (like the demarcation of reserves) and of Afro Colombians (recognition of and constitution of collective territories) has been reluctant to exert sovereignty over these regions, leaving the population under the dictatorship of illegal armed groups that have committed atrocities and breaches of International Humanitarian Law, in many cases in collusion with military and civilian authorities.

Since 1980 a new business class enters the Colombian Pacific region with the purpose of investing resources coming to a large extent from traffic of illicit drugs. A great deal of indigenous and Afro Colombian territories that had remained isolated from economic dynamics, have become included speedily in investment portfolios by national business and economic agents, the majority of them related to extractive, agro-industrial, narcotics or large infrastructure schemes and activities, which destabilised traditional indigenous and afro Colombian peoples' economies. These activities have not brought about economic development for the region; on the contrary, they have installed new forms of cultural, environmental and spiritual poverty, new threats and new vulnerabilities for those peoples.

In 1995 illegal armed parties started to enter in a regular basis. They were coincidentally interested - like the abovementioned business-, in modifying the productive structure of the region. This presence dismantled social organisations by killing their leadership and demolishing the already weakened institutions of the region. Communities were -and are- used and mobilised according to the political, military or economic rationale of these actors. The situation has become unbearable for the population due to the degradation of the armed conflict and the deadly toll that indigenous and Afro Colombians have to pay for their persistence in keeping aside of this war that has nothing to do with them. The Colombian government has stated that its human rights policy is the same as its *democratic security* policy, notwithstanding that with this concept of security civilians are involved in the armed conflict. Programmes like the *informants network*, or *peasant soldiers* are fundamental axis of this policy<sup>1</sup>.

*This armed conflict has serious expressions and impacts on indigenous peoples, Afro Colombians and peasants from the Pacific region due to:*

- a) Invasion of their territories by all the armed parties, such as: guerrillas, paramilitaries, State armed forces, drug traffickers and common crime.
- b) Massacres, forced disappearances and killings of leadership.
- c) Imposition of armed powers that do not recognise the authorities and autonomy of these communities. This comes along with violent actions and pressure by drug traffickers with the purpose of clearing areas of agricultural interest (for palm tree, banana or plantain plantations) or for cattle rising.
- d) Forced recruitment and use of native populations for multiple tasks, making them susceptible of punishment and retaliations by adversary groups.
- e) Targeting of community authorities as being supporters of guerrilla groups by State authorities, or otherwise, accused of being informants of the National Navy or paramilitary groups by the rebels.
- f) Economic blackmail and restrictions to the entrance or delivery of food, medicines and basic articles.
- g) Combats between warring parties to control territories, economy and the population.
- h) Forced displacement or confinement in determined zones restriction of mobility in their territories or out of them.

These manifestations of the armed conflict have made internal cohesion to weaken, the abandonment of communities' exercise of their own authority and judicial systems, and consequently, to a governance crisis in almost all of them. In the Pacific region there are

<sup>1</sup> In this form, the *security democracy* policy transfers the obligation of guaranteeing security to the citizenry, and uses it as an instrument to win the warfare. The guidelines of this policy state, for instance, that citizenry "will be fundamental part in the issue of information gathering for military intelligence".

few communities that are in a good organisational and emotional condition to maintain active peaceful resistance, like that of the Nasa indigenous zone in the Andean Cauca area, where that people refuses to abandon their lands, by demanding -through massive demonstrations (called "resistance Mingas")- the respect for their lives and territories.

More recently, since 2000, the Colombian Government started to be more permanently in the region with interdiction policies to control coca plantations under Plan Colombia, displacing these crops from the Putumayo department (province) towards the Nariño Pacific area, and from there to the northern part of the coastal zone, destroying in its turn food crops that provided food security to the indigenous and Afro Colombian communities living in the basin of almost all the rivers of the Pacific Region in the departments of Nariño, Cauca and Valle del Cauca.

The growing demand of basic paste of cocaine and poppies' latex, the raw materials for the production of hallucinogenic substances caused by the increase in the demand for illicit drugs in the United States, the opening of new markets in (Western and Eastern) Europe, and the economic crisis in the agricultural sector, made the coca plantations to grow, and transformed Colombia by mid 90s in the main producer of coca leaves. By the end of that decade, the pressure by the United States government over Colombia for the latter to interrupt its illicit substances offer, obliged this country to accept Plan Colombia to eradicate illicit crops. Aerial spraying to destroy coca plantations, using increasingly stronger chemical herbicides, did not reach the expected results, and the plantations continued to move and grow in Amazon soil, in detriment of the fragile rain forest. From the Amazon region, the plantations were transferred to the jungles of the Pacific Coast. Nevertheless, the United States State Department persists in its argument that drug trafficking exists because there are coca growers.

*These diverse paramilitaries, guerrillas and official armed forces presence and operations convey to aggravate the economic and social situation of these peoples shaping an uprooting state that poses the survival of these peoples at risk.*

However, to these policies affecting territories, strong ties of the indigenous and Afro Colombian peoples are opposed since they had obtained in the 90s important constitutional and legal recognition that enabled the constitution and consolidation of many of the collective territories, giving birth to internal reorganising and political agendas of their own to build new forms of organisation and solidarity, aimed at escaping from war and reverting centuries of exclusion.

Although it is a constitutional obligation that the Colombian State protects the rights of ethnic groups and supports their organisational efforts as peoples, further more now that the human rights scenario for black peoples and indigenous has deteriorated ostensibly, the Colombian State has shown no willingness to exert sovereignty on the Pacific Region. On the contrary, this drama that indigenous, black and peasant inhabitants are experiencing happens under the indifferent eyes of the State, and in some cases, with its collusion, like in the case of the Naya massacre. In this case, the paramilitary chief Ever Veloza, called "HH", leader of the Calima Bloc of the Self-Defence Groups of Colombia, AUC (for its Spanish acronym), conducted a massacre of at least 50 indigenous and peasant dwellers in April, 2001 (according to data provided by the Attorney's General Office). Alias "HH" in his deposition before a Judge of the "Justice and Peace" Tribunals acknowledged that to carry out this massacre he received support of the National Army.

**SOCIAL, ECONOMIC AND POLITICAL PROBLEMS OF THE PACIFIC REGION  
THAT CONTRIBUTE TO THE TERRITORIAL UPROOTING AND  
HUMANITARIAN TRAGEDY OF ITS INHABITANTS**

- *Disregard for the current international standards for the protection of ethnic peoples and their territories* (indigenous and Afro Colombians) that provide particular safeguards to individual and collective rights in relation to property, use and control of territories that indigenous peoples implement, as well as in relation to natural resources.

These standards put clear emphasis on the necessity for these peoples to count on adequate control mechanisms over factors and processes that affect their lives, territories and resources, because in this way they can maintain and reinforce their institutions, cultures and traditions and promote their own development, according to their aspirations and needs.

The government of Andres Pastrana (1998-2002) openly disregarded these international standards forcing Colombian indigenous peoples to withdraw from the national tables enabled to discuss agreements with the government, according to Decrees 1396 and 1397 of 1996.

President Alvaro Uribe –in his 6 years in office– has not only impeded these international standards to become true in Colombia, but has restricted the rights of native peoples, Afro Colombians and peasants, by implementing directly by his presidency an economic and political order for the country. But at the same time by changing the legal structure of Colombia with the purpose of facilitating access to the resources in territories that hold collective titles by indigenous and Afro Colombians. This reorganisation is carried out in line with a global order of neo-liberal development for which those territories collectively owned and with community economy are an obstacle. In this way, the government of Alvaro Uribe-Velez sweeps plurality and diversity as pillars of a democratic regime that the 1991 Constitution pretended to build.

The fact that Colombia was one of the few countries that refrained from signing the United Nations' Universal Declaration of Indigenous People's Rights confirms the animadversion that this government shows for the collective rights of these peoples.

- *The social and political exclusion* imposed over these peoples, the neglect of their rights, the disregard for their economic practices, racial discrimination, discredit and denial of their identities, and so many attacks and abuses that their institutions, cultures and world visions have suffered, have generally had the purpose of detract their right to their territories. Under the constitutional recognition these peoples could make themselves visible in the national panorama and their knowledge, behaviour and spirituality became honoured since their contributions to preserve places of high biological diversity such as the Pacific region became more evident. Nevertheless, these cultural rationale in managing their living spaces have not been recognised by the government because their territories have resources considered strategic for selfish trans-national capitals, which avidity grows due to the possibility of signing the Free Trade Agreement with the United States of America.

- *Violent disputes for the economic, political and territorial control of the region:* Many areas of the Pacific Region are subject of dispute by armed parties, because it is fundamental for them to control these places and its legal and illegal economy in order to continue the

war. In few years, the Pacific Region turned from being a peaceful place to become one of the most violent regions of the country, due to the disputes for the control of profits related to illicit crops, the exploitation of natural resources, the possession of fertile lands or for the control of strategic geopolitical territories. These are areas where illicit exports and weapons trade are made. This fight has cost the lives of hundreds of young people who work as "raspachines" or coca leaves harvesters, wood sawyers, miners or militia people serving to any of the sides in conflict.

- *Fragmentation and territorial uprooting of indigenous and black communities:* To the extent that illegal crops increase and large plantations expand, economic and social life of these communities is submitted to the dynamics of flows of resources these activities produce. In the affected communities by this type of illicit economies, food crops decrease dramatically and dependence on imported food products increases. Abandonment of food production is the first step for economic de-structuring of these communities. And the use of soil and resources of the territory with the purpose of responding to external market's demands to the region, is the most expeditious way of territorial uprooting. And in this matter, the Pacific Region offers several examples.

- *A new black Diaspora:* At the same time that the black populations extinguish due to the over-exploitation of forestry, of rivers and mangrove resources, and that paramilitary violence expands to profit from these resources and to use the land for oil palm tree, coca and banana plantations, these people start their exodus to cities.

- *Dismantling of municipal governments:* Fiscal evasion, smuggling, illegal possession of lands, robbery and private appropriation of public goods and resources, chieftainship, fraudulent elections, vote-related crimes, kidnapping and finally, drug trafficking, with all its effects of corruption and violence have ended with destabilising local governments and des-institutionalising the region<sup>2</sup>.

- *A social problem that is managed in warfare terms:* Plan Colombia emerged in a context of the United States government's counter-drugs policy. When illicit drugs trade became the principal source of military and economic empowerment for the FARC rebels and for AUC paramilitary forces, and when –after 11-September– these groups were listed as terrorists by the United States Defence Department, the anti-narcotics campaign changed and became a *war on terror*. When these causal relationships between terrorism and drugs established, the social problem in the coca growing regions became a question to be treated in military terms. Proposals of economic development conceived for these zones had to receive first a "military solution".

With the increase in illicit crops cultivation, the Pacific Region started to be part of the so-called *Gray Zone*, categorised as places of easy access for armed actors. Inhabitants of these *grey zones* would be considered part of the financial strategy and/or potential supporters of terrorist activities. Proposals to "*think peacefully the Pacific*"<sup>3</sup>, as the Bio-Pacific Project stated, were wiped out suddenly. It had been reaffirming strategies for peaceful

<sup>2</sup> This means that the State and its institutions and resources have become the loot for armed parties and their political mentors related.

<sup>3</sup> A word game in Spanish: "Pensar pacíficamente el Pacífico", as it was the Bio-Pacific Project, an interdisciplinary working and pluralist experience supported by the World Environmental Fund and the Swiss Government, the United Nations Programme for Development, UNDP, and the Colombian Ministry of the Environment. Bio-Pacifi represents five years of negotiations, decisions, projects and trials during which the efforts made by more than 400 people joined namely indigenous and black organisations, foundations, universities, NGOs and territorial institutions.

coexistence and survival of black and indigenous communities that inhabit the neo-tropical forests of the Pacific Region, as the key for any effort in favour of its singular cultural and biological diversity. It is in this context of the war on drugs that scenarios for high military confrontation are created without taking into consideration the indigenous, Afro Colombian and peasant communities existing there.

War as the leading force of regional development is, as the researcher Ricardo Vargas poses it, "the worst adviser". This war undermines the solidarity production forms that the jungles of the Pacific Region had preserved for centuries, and abuse constitutional and legal rights to protect collective territories.

The final outcome is that any activity aimed at empowering communities for the exercise of their functions and at promoting autonomous and self-sustainable development processes become more difficult.

The impact of control measures by the armed intervention is very strong for the region and its inhabitants: constraints for the circulation of fuel, groceries, medicines; restrictions to the free mobility for paths and roads; obstacles to go to their plantations, to collect fruit or access fishing ponds or hunting places; difficulties to purchase or sell products. Local economic crisis are therefore created: high prices of goods coming from places out of the region and that are indispensable escalate, while the prices of goods produced in the region fall dramatically. The economy of the region collapses. And facing that the local governments are unable to sort these difficulties out, there is a neglect of the whole region. As the popular saying states: "the remedy becomes more expensive than the illness".

This model of military intervention (not only by the legal official armed forces, but also by right wing paramilitary and guerrilla groups) along with the above mentioned consequences, have happened so repeatedly that this leads us to conclude that behind this armed operations there is a deliberate policy to destitute this population, to "clean" certain areas that are ambitioned by powerful economic interests, where there are international capitals and money coming from the drugs trade compromised. This is why in the municipality of Bajo Atrato (department of Chocó), large plantations of oil palm trees were started after the communities of the zone were violently evicted. In other zones, such as in the high San Jorge River, forced displacement of Embera-Katio indigenous peoples expelled from their reserve opened the way to the cultivation of illicit crops. In general terms, the objectives of evicting these peoples have been the large-scale exploitation of environmental resources, especially timber and mining, to broad large cattle raising states or banana, plantain, oil palm tree or coca plantations. This situation as described in IGWIA second report on indigenous peoples' human rights constitutes a premeditated genocide<sup>1</sup>.

• **Increase of social and economic unbalances:** The neo-liberal economic model, started in the 90s not only has not resolved structural problems; it has stressed unbalances, expanded poverty and accelerated the deterioration of the environment. Despite State affirmative actions that made that more than 5 million hectares of land received collective land titles for black communities, this population has not been able to enjoy their collective territories and even today they continue to be the most excluded social sector of the Colombian nation. There are not economic policies aiming at closing the gap between regions and the Pacific one –ancestral territory of black peoples– continue to be the country's poorest, most exploited and isolated region.

<sup>1</sup> IGWIA (2008). *Pacífico Colombiano. El Caso del Naya. Informe IGWIA 2*. Bogotá (in Spanish).

**Exacerbation of cultural differences and racial discrimination:** Although the 1991 Political Constitution of Colombia enshrined multiculturalism, the State has not identified with it. Statistics and facts show that even that the National Constitutional Assembly was convened to solve conflicts of Colombians, it was from that time on that socio-cultural conflicts became more serious. The reason is that the Colombian state never thought of creating spaces for intercultural exchange, that otherwise would have closed the gap that separates Colombian diverse cultures.

Along with economic unbalances, cultural differences grow and accelerate. Inequity and difference are deepened even more, when in the region the economy that relies on illicit crops expands. Although slavery was abolished 150 years ago, with this drug-trafficking economy old patters like those of exploitation of labour force and human rights abuses are revived.

In the Pacific Region, what for Daniel Pécaut is violence in Colombia becomes more evident: a generalised and diffuse situation, where a variety of events and ways of expression of it (political violence, official violence, armed conflict, killings, forced displacement, blackmail, disappearances, kidnapping, common crime, racist violence) interact and feedback mutually, creating a growing and cumulative vicious circle.

And this is precisely what is happening in the Pacific Region. There is a generalised situation of violence, but one in which drug trafficking and its common crime gangs deploy their intimidating power by means of terror. These groups become the regulatory agents that guarantee order and the fulfilment of norms established by them. They exert their own justice and decide over the lives of people.

Forced displacement in the Pacific Region has one of the country's highest rates. The saddest part in the life of displaced peoples who left the riverside areas near the city of Buenaventura (Valle department) is that they go to seek refuge in that port (the most important of Colombia, where 80 per cent of goods enter and leave the country, and where enormous amounts of money from drugs flow). These displaced peoples are welcomed in the poorest slums called Bajamar (low tide). With the purpose of conditioning the port to respond to the challenges of a FTA these internal refugees are displaced once again. Right-wing paramilitary groups that in a period of 5 years have killed<sup>5</sup> and "disappeared" more than 1,000 people carried out this task; more than half of whom were young people who were jobless. What the population of Buenaventura wonder now is how many of these young people comprise the cases of "false positive scores": a name given to people who were recruited under promises of jobs and that later appeared cruelly assassinated by members of the official armed forces and presented consequently as "guerrilla losses" in order to receive compensations of 3 million Colombian pesos per person, approximately US \$1,500. And all these events happen under the indifferent look of high ranked governmental staff.

Buenaventura, July 2008

<sup>5</sup> The majority of victims had signs of torture, something that makes it evident that in these crimes exist also a high doses of racism and social intolerance.